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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

DELPHINE ALLEN, et al.

Plaintiffs,

v.

CITY OF OAKLAND, et al.,

Defendant(s).

Case No. 00-cv-04599 WHO

**DEFENDANT CITY OF  
OAKLAND'S STATUS REPORT**

Pursuant to the Court's July 10, 2025, oral order, the City provides the following status report updating the Court on the City's ongoing efforts and any new efforts to achieve Negotiated Settlement Agreement (NSA) compliance. July 10, 2025, Court Hearing Tr. 48.

The City has made considerable progress by focusing on two things: addressing systemic issues and tackling specific, actionable mandates. This two-pronged effort moves beyond a temporary fix. It demonstrates a genuine commitment to building public trust by pairing City leaders' broad vision for a positive shift in Oakland Police Department (Department) culture with precise, targeted actions necessary to sustain task compliance.

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## **I. The City's Strategic Vision to Impact Department Culture**

Under the leadership of Mayor Barbara Lee, the City has implemented a strategy that advances positive change in the Department's culture and helps ensure sustainable compliance with the NSA. This strategic vision, the "One Oakland" initiative, relies on mutual support and collaboration between committed City leaders, community leaders, and the members of the Oakland Police Department. The initiative impacts police culture by aligning Department values with the needs of the community. Mayor Lee's vision is a unifying force for diverse City and community leaders who share a commitment to public safety.

### **A. Shaping Police Culture Through Community Engagement**

The City's community engagement efforts are designed to impact police culture by fostering trust and legitimacy, shifting from a reactive approach to policing to an approach that emphasizes proactivity and problem solving.

As part of Mayor Lee's initiative, the City launched a comprehensive community engagement effort through a series of "One Oakland Listening Sessions." These sessions, held in partnership with City Councilmembers, Department leaders, including Chief Mitchell and Acting Assistant Chief Tedesco, were designed to foster direct dialogue, trust, and collaboration on Department policies, practices, and cultural norms. One of the goals is to encourage officers to feel more engaged and valued, build stronger relationships with the community, and become more effective problem solvers.

From June to August 2025, over 1,000 residents participated in ten collaborative workshops. The top priority identified by residents across all districts was comprehensive public safety. Residents voiced consistent support for the City's Ceasefire strategy and community-based violence prevention, and emphasized a preference for accountability, transparency, and trauma-informed approaches over an increased police presence.

In July and August 2025, Mayor Lee, alongside Chief Mitchell, Acting

1 Assistant Chief Tedesco, and Department of Violence Prevention Chief Dr. Holly  
2 Joshi, conducted a series of Ceasefire Teach-ins. More than 500 residents attended  
3 five sessions to learn about the Ceasefire program's strategy of combining law  
4 enforcement and community-based services to intervene with individuals at high  
5 risk of perpetrating or becoming victims of gun violence.

6 Mayor Lee has also engaged directly with Department patrol officers to  
7 understand their perspectives on using City resources for public safety outcomes.  
8 On September 23, 2025, Mayor Lee continued her series of listening sessions with  
9 rank-and-file officers during a pre-shift briefing, or "line up," at the Police  
10 Administration Building. She intends to continue to engage with officers at both the  
11 downtown Police Administration Building and the Eastmont substation.

#### 12 **B. Recruitment as a Tool for Culture Change**

13 The City recognizes that the recruitment and retention of qualified personnel  
14 is a critical factor in shaping the Police Department's culture. The values, skills,  
15 and behavior of new officers are significantly influenced by recruitment methods  
16 and the subsequent training and socialization, which can either perpetuate existing  
17 departmental norms or introduce more collaborative and community-oriented  
18 norms.

19 Mayor Lee supports recruitment efforts for the Department as part of a  
20 comprehensive public safety strategy. The 2025-2027 city budget, approved with  
21 Mayor Lee's support, allocates funding for five police academies to address police  
22 staffing levels. The City's recruitment effort to increase the number of sworn  
23 officers is part of a broader strategy that integrates violence prevention programs,  
24 Ceasefire interventions, and community policing.

25 Mayor Lee and her administration have engaged in marketing and outreach  
26 campaigns to attract candidates to the Department. As part of this collaborative  
27 effort, Mayor Lee convened a citywide Recruitment Task Force (Task Force). This  
28 Task Force includes representatives from the Oakland Police Department (OPD),

1 Oakland Police Officers' Association (OPOA), NAACP, Merritt College, City Council  
2 leadership, Black Women Organized for Political Action, the Oakland Chamber of  
3 Commerce, and other business and community partners. The Task Force is  
4 responsible for developing a coordinated recruitment strategy for upcoming  
5 academies. The Task Force convened on August 27 and September 24, 2025, with  
6 monthly meetings scheduled through at least December 2025.

7 In September 2025, in partnership with the Oakland NAACP, a campaign  
8 was announced to encourage Oakland residents to join the police force, with an  
9 emphasis on recruiting women and people of color. The campaign invites candidates  
10 who "act with integrity" and are interested in solving crimes to become "hometown  
11 heroes" by making their city safer. By recruiting candidates from the local  
12 community who more accurately reflect Oakland's population and diverse  
13 communities, the partnership aims to foster greater trust and integration between  
14 police officers and the community.

### 15 **C. Impacting Police Culture Through Collaboration with Civilian** 16 **Oversight**

17 The City's civilian-led Police Commission and the Department are forging a  
18 more collaborative risk-management-focused approach to policy development, which  
19 has improved their working relationship and enhanced public transparency. The  
20 cooperative dynamic between the Commission and Department leadership fosters a  
21 positive culture shift by ensuring that policies are both practical for officers and  
22 responsive to community needs. A positive working relationship among leadership  
23 increases both community trust in the Department and the Department's trust in  
24 the Commission.

25 The most recent revision of Department policy regarding pursuits illustrates  
26 this cooperative approach. On September 26, the Commission held a community  
27 meeting to discuss policy revisions that included breakout sessions with Chief  
28 Mitchell, Commissioners, and residents to facilitate dialogue and a deeper

1 understanding of various perspectives. This process concluded with a unanimous  
2 Commission vote approving policy revisions. In addition, also on September 26,  
3 Chief Mitchell signed the Commission-revised DGO M-19, *Prohibitions Regarding*  
4 *Racial Profiling and Other Bias-Based Policing*. The Department is currently  
5 developing the training required prior to implementing the revised policy. Finally,  
6 this spirit of cooperation is reflected in Commission leadership's ongoing  
7 engagement with the Department, including Chair Garcia-Acosta's and Vice Chair  
8 Booker's participation in Department working groups addressing the culture and  
9 perceptions surrounding consistency of discipline, Department Risk Management  
10 meetings, monitor site visits, and Court-mandated biweekly important-case  
11 meetings. On August 25, Chair Garcia-Acosta attended Department line-ups at the  
12 Eastmont Substation in East Oakland to express gratitude and support, foster  
13 collaboration, set expectations and dispel misconceptions about civilian oversight.

14 Increased collaboration not only helps institutionalize new policies and  
15 practices, it helps improve public confidence in police accountability. Moreover, a  
16 respectful and cooperative environment allows for more open conversations about  
17 misconduct, excessive force, and bias, which in turn signals to officers throughout  
18 the Department that Department leadership supports reform efforts.

## 19 **II. Internal Investigation Timeline Improvements (Task 2)**

20 Department policy established pursuant to the NSA requires the Department  
21 to complete 85% of Class I and 85% of Class II internal administrative  
22 investigations within 180 days. In the third quarter of 2025 (July-September), the  
23 Department calculated that it completed 80% of Class I and 93% of Class II  
24 investigations within 180 days.

25 The City is committed to completing investigations of alleged officer  
26 misconduct with the integrity and rigor necessary to ensure accountability and  
27 withstand scrutiny. Investigations need to be both as swift as possible and as  
28 thorough as possible, but speed must always take a back seat to rigor. To remain

1 consistent with this commitment, the City does not close cases prematurely to meet  
2 the 180-day policy timeline. While the City continues to make its best efforts to  
3 meet the standards for both rigorous investigation (Task 5) and timely resolution  
4 (Task 2), resource limitations have created challenges for both the Department's  
5 Internal Affairs Bureau (IAB) and the Community Police Review Agency (CPRA).

6 The bottom line is that both IAB and CPRA are understaffed, leading to  
7 unmanageable caseloads for investigators. While City leadership fully supports  
8 adding investigators, the number of investigators assigned to conduct internal  
9 investigations in the Department is currently constrained by Department policy and  
10 overall staffing levels. Department policy requires internal affairs investigators to  
11 hold the rank of sergeant. Sergeants assigned to investigate force complaints and  
12 related misconduct must have additional special training and experience including  
13 one year of prior IAB experience. *IAD 23-01 – IAD General Operating Procedures* 14,  
14 16, 50 (rev. Nov. 30, 2023). Existing sergeants cannot be reassigned to IAB from  
15 other Department units due to “span of control” policy requirements, which would  
16 result in an impermissible ratio of supervised officers per sergeant. *DGO A-19,*  
17 *Supervisory Span of Control* (rev. July 9, 2018); *see also NSA Task 20* (“Under  
18 normal conditions, OPD shall assign one primary sergeant to each Area Command  
19 Field Team, and, in general, (with certain exceptions) that supervisor’s span of  
20 control shall not exceed eight (8) members.”).

21 Promoting officers from patrol to sergeant positions within IAB is not feasible  
22 either, as it would deplete patrol resources that are already stretched thin across  
23 the City, hampered by continued attrition and the lack of recent police academy  
24 graduations. The Department anticipates that it will not be able to promote  
25 additional sergeants in early 2026, following graduation of the current academy  
26 class. The City is hopeful that with the current administration’s funding of five new  
27 police academies, IAB investigators may get some relief in 2026.

1 On a more positive note, the CPRA is actively increasing its investigative  
2 capacity. The most recent City budget increased CPRA's budget from approximately  
3 \$2 million to \$5.1 million annually. This funding expansion is intended to enable  
4 the agency to achieve full staffing and improve its ability to complete cases in a  
5 timely manner.

6 CPRA has already begun filling new positions made possible by the increased  
7 budget. The week of October 13, a new Complaint Investigator III (highest level),  
8 with previous experience as an investigator for the San Francisco Department of  
9 Police Accountability, commenced employment. The CPRA is actively interviewing  
10 applicants for up to six Complaint Investigator II positions.

11 Based on these resource limitations, particularly within the Department, the  
12 Department projects that it may not be able to achieve the 180-day completion rate  
13 in 85% of Class I cases until mid-2026. This projection accounts for the time  
14 required to recruit, train, and promote new officers, sergeants, and IAB  
15 investigators.

### 16 **III. Additional Measures to Ensure NSA Task Compliance**

17 The City has made progress on additional measures to enhance internal  
18 investigations (Task 5) and to improve the consistency of disciplinary actions (Task  
19 45).

#### 20 **A. The Department's Revision of DGO-M 4.1 (Task 5)**

21 As previously reported, the Department has been working to revise DGO M-  
22 04.1, *Criminal Investigation of Dept. Members and Outside Sworn Personnel*, based  
23 on recommendations from the Department's *Incident Assessment and Response in*  
24 *Case No. 23-0459* (often referred to as "the Tran case"). The proposed revisions  
25 ensure transparency and accountability for a decision not to trigger notifications  
26 and investigation protocols for a criminal allegation against a Department member  
27 by requiring documentation of the determination. The Department presented its  
28 revisions to the monitor and stakeholders at the September 3, 2025, site visit. Based



1 on stakeholder and executive team feedback, the Department refined its proposed  
2 policy changes. On October 16, 2025, the Department sent its proposed revised  
3 policy documents to the monitor and plaintiffs' counsel for review. Once the review  
4 is complete, the Department will submit the policy to the Police Commission for  
5 review and approval.

6 **B. The Department Entered a New Contract with Stanford**  
7 **Researchers (Task 45)**

8 On October 7, 2025, City Council approved a new three-year technical  
9 assistance contract with Dr. Jennifer Eberhardt. The contract enables the  
10 Department's Risk Analysis Unit to continue working with Stanford researchers to  
11 evaluate the responses from the 2025 Survey on Members' Perceptions About  
12 Internal Investigations and Discipline.

13 In addition, in accordance with its separate data-sharing agreement with  
14 Stanford University, the Department has completed its production of requested  
15 body-worn camera video and related stop data, with the exception of narrative fields  
16 that require additional review prior to release. Although the data-sharing  
17 agreement has no direct financial cost to the Department, the review and  
18 production of this information requires considerable Department time and  
19 resources.

20 **C. The City Administrator's Biweekly Important-Case Meetings**  
21 **(Task 5)**

22 Pursuant to the Court's order, the City Administrator has continued to  
23 convene biweekly meetings, during which the Department provides updates about  
24 important administrative and criminal investigations involving Department  
25 members. The meetings are attended by key stakeholders, including the Chief of  
26 Police, the City Administrator, and representatives from the Mayor's Office, City  
27 Attorney's Office, the Monitoring Team, the Inspector General, the Police  
28 Commission, and the CPRA. These meetings serve as a mechanism to update City  
leadership on the status of investigations.



1 The biweekly meetings promote accountability, ensure transparency within  
2 City leadership, and foster crucial interagency communication. The presence of the  
3 Chief of Police and the City Administrator at these meetings ensures that the  
4 highest levels of municipal leadership are directly engaged in and responsible for  
5 the progress of investigations. This direct involvement compels a higher degree of  
6 accountability for case outcomes. Regular biweekly meetings also prevent  
7 communication failures and allow concerns to be addressed in a timely  
8 manner. Finally, the participation of multiple independent oversight bodies  
9 provides an external check on the internal investigative process. This hybrid  
10 oversight model prevents accountability from resting solely within the Department.

11 **D. The Department is Proactively Investigating Potential**  
12 **Disparity in its Disciplinary Process Using Qualitative**  
13 **Interviews (Task 45)**

14 In July 2025, the Department administered its most recent bi-annual survey  
15 to measure member perceptions of the internal investigation and discipline process.  
16 The Department, in collaboration with researchers from Stanford University, is  
17 currently analyzing the results of this survey. While the survey primarily relied on  
18 quantitative data collected via Likert scale questions,<sup>1</sup> it also included open-ended  
19 questions that allowed for free-form narrative responses. These questions were  
20 designed to elicit qualitative feedback from subjects of recent internal investigations  
21 concerning their perceptions of the fairness of the complaint initiation, findings, and  
22 disciplinary processes.

23 Since 2022, the Bureau of Risk Management has conducted annual reviews of  
24 internal investigation outcome and discipline data to identify potential disparities  
25 based on race, gender, and rank. The 2024 annual report (forthcoming Nov. 2025)  
26 revealed a racial disparity in internal investigation outcomes. This finding

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27 <sup>1</sup>The Likert scale is a rating system used in questionnaires and surveys to measure  
28 attitudes, opinions, or perceptions by asking respondents to indicate their level of  
agreement or disagreement with a statement. Instead of a simple “yes/no” or  
“agree/disagree” answer, the Likert scale provides a range of response options that  
capture the nuance of a person’s opinion.

1 prompted a recommendation to gather qualitative data through additional research,  
2 including interviews and focus groups. The Department has therefore convened a  
3 working group led by the Department's Race and Equity Team to conduct additional  
4 qualitative research. The group met four times in September and October to discuss  
5 and plan its research.

6 The objective of the qualitative research is to supplement the 2025 survey  
7 data by collecting more in-depth information. This research will focus specifically on  
8 employee perceptions of the fairness and overall understanding of the IA process  
9 through a series of interviews. The Department plans to issue a final report that  
10 will integrate the open-ended responses from the 2025 survey with the findings  
11 from the qualitative interviews. Due to the time and resources required for this  
12 extensive project, the Department does not expect the comprehensive qualitative  
13 report to be completed until the second half of 2026.

#### 14 **IV. Conclusion**

15 The City's actions demonstrate a steadfast commitment to fulfilling not only  
16 its obligations under the NSA, but its underlying promise to Oakland's residents.  
17 Starting at the highest levels of leadership, the City is fostering a culture of  
18 compliance within the Department. As the Court noted, "monitorship is not the best  
19 tool to address cultural issues...[l]eadership from the City and OPD is key." July 10,  
20 2025, Court Hearing Tr. 6. The City has fully embraced this guidance, thoughtfully  
21 designing and implementing reforms to achieve NSA compliance while also shaping  
22 Department culture.

23 The City acknowledges the pending resignation of Chief Mitchell, effective  
24 December 5, 2025. The City submits that this leadership transition will not impede  
25 the substantial progress toward NSA reforms. The comprehensive design and  
26 implementation of these reforms have been the product of a collaborative effort  
27 involving the entire City team and significant community engagement, ensuring the  
28 mission of compliance and cultural change will proceed without disruption.

1 Accordingly, Chief Mitchell's departure is not cause to delay the termination of  
2 Court oversight.

3 Respectfully submitted,

4 Dated: October 21, 2025 RYAN RICHARDSON, City Attorney  
5 BRIGID S. MARTIN, Special Counsel

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7 By: /s/ Brigid S. Martin  
8 Attorney for Defendant  
9 CITY OF OAKLAND  
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